

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

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KENNY VASQUEZ and
DEANNA VASQUEZ,
As parents and legal representatives
Of their minor daughter,
BRIANNA VASQUEZ

Petitioners,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

* * * * *

* No. 10-621V
* Special Master Christian J. Moran
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* Filed: June 30, 2014
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* Attorneys' fees and costs; stipulation
* of fact; award in the amount to which
* respondent does not object.

Ramon Rodriguez, III, Rawls, McNelis and Mitchell, P.C., Richmond, VA, for
Petitioner;

Ryan Pyles, United States Dep't of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

Respondent filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter on June 25, 2014. Previously, Mr. and Mrs. Vasquez informally submitted an application for attorneys' fees and costs to respondent for review. Upon review of petitioners' application, respondent raised objections to certain items. Based on subsequent discussions, petitioners amended their application to request \$62,000 for attorneys' fees and costs. In compliance

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

with General Order #9, petitioners state that they incurred \$2,372.00 for costs in pursuing their petition. Respondent does not object to the total amount of \$64,372.00, requested by petitioners. The Court awards this amount.

Petitioners filed their petition on September 15, 2010 and were awarded compensation on November 26, 2013. Judgment entered on December 3, 2013. Because petitioners received compensation, they are entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

After reviewing the request, the Court awards the following:

- a. A lump sum of \$62,000 in the form of a check made payable to petitioners and petitioners' attorney, Ramon Rodriguez, III, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**
- b. A lump sum of \$2,372.00, payable to petitioners, Kenny and Deanna Vasquez, for costs they incurred in pursuit of the petition.**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.²

Any questions may be directed to my law clerk, Marc Langston, at (202) 357-6392.

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.